

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 3052 of 2000

to

FIRST APPEAL No 3063 of 2000

Hon'ble MR.JUSTICE Y.B.BHATT

and

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

O N G C

Versus

MAJIDBHAI VALI DADA

Appearance:

M/S TRIVEDI & GUPTA for Petitioner
MR AB MUNSHI for MR AJ PATEL for Claimants
MR ND GOHIL, AGP, for the Spl. Land Acquisition Officer

CORAM : MR.JUSTICE Y.B.BHATT

and

MR.JUSTICE M.C.PATEL

Date of decision: 22/11/2000

ORAL JUDGEMENT

(Per : MR.JUSTICE Y.B.BHATT)

1. This is a group of appeals filed by the Oil and Natural Gas Corporation Ltd. as the acquiring body under section 54 of the Land Acquisition Act read with section 96, CPC. Appeals are admitted. Mr. A.B. Munshi for Mr. A.J. Patel waives service of notice of the appeals on behalf of the land-holders. Mr. N.D. Gohil, learned AGP, waives service on behalf of the Special Land Acquisition Officer.

2. On a joint request of learned counsel for the respective parties these appeals are taken up for final hearing today.

3. As a result of the hearing and discussion, learned counsel for the respective parties agree that the outcome of these appeals is entirely dependent upon the judgement and decree passed in First Appeal Nos.5328/99 to 5336/99, decided by this Bench yesterday i.e. 21st November 2000.

4. The village from which the lands were acquired in the aforesaid decision was village Chanchvel, whereas in the present case it is from the village Roza-Tankaria, which would make no difference in the valuation inasmuch as they share a common boundary and common fertility. Similarly, the small time difference between the dates of the relevant section 4 notifications would also not make any material difference.

5. In the premises aforesaid, for the reasons stated in the aforesaid decision, we find that there is no substance in the present appeals and the same are accordingly dismissed with no order as to costs.

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